

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**JERI BEARD**

**PLAINTIFF**

**V.**

**No. 1:10CV145-A-D**

**CITY OF TUPELO, MISSISSIPPI**

**DEFENDANT**

**ORDER ON MOTION TO DISMISS**

Pursuant to an opinion issued this day, it is hereby ORDERED that

- (1) the Defendant's Motion to Dismiss [5] is GRANTED;
- (2) the Plaintiff's claims are dismissed; and
- (3) this case is CLOSED.

All memoranda, depositions, declarations, and other materials considered by the Court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED, this the 16th day of December, 2010.

**/s/ Sharion Aycok**  
**UNITED STATES DISTRICT JUDGE**